REMARKS

Claims remaining in the present Patent Application are Claims 1-24. The Applicants respectfully request reconsideration of the above captioned patent application in view of the remarks presented herein.

U.S.C. § 102

Claims 1-24 stand rejected under 35 U.S.C. § 102(e) as being allegedly unpatentable over Phillipps (WO 02/09362, "Phillipps"). Applicants have carefully reviewed the cited reference and respectfully assert that embodiments of the present invention as recited in Claims 1-4 are patentable over Phillipps.

With respect to Claim 1, Applicants respectfully assert that Phillipps does not teach or fairly suggest the limitation of "wherein said establishing bypasses a Bluetooth discovery process" as recited by Claim 1.

The rejection argues that Phillipps page 4 lines 1-2 teach this limitation. Applicants respectfully traverse. The cited sentence reads,

[i]f the user knows the Bluetooth Device Addresses of the printer 11, the user can manually select the appropriate entry in the list 20 so that the device 1 can form a piconet with the printer 11.

Applicants find this cited passage to be silent as to the recited bypassing a Bluetooth discovery process, as recited by Claim 1. Applicants further find the entirety of Phillipps to be silent regarding the instant limitation. Applicants respectfully assert that the rejection applies impermissible hindsight to create a teaching not present in the cited reference, when viewed through the filter of the present claimed invention.

For this reason, Applicants respectfully assert that Claim 1 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Moreover, with respect to Claim 1, the Phillipps reference is replete with references that teach conventional operation of a Bluetooth device, including, "[t]the transceiver is adapted for ... transmission and reception according to the Bluetooth specification" (page 3 lines 18-19), and "Bluetooth devices perform a discovery operation to locate other Bluetooth devices..." (page 3 lines 27-28, emphasis added). These teachings of Phillipps teach toward conventional operation of a Bluetooth device, and actually teach away from embodiments in accordance with the present invention that recite bypassing a Bluetooth discovery process, as recited by Claim 1.

For this additional reason, Applicants respectfully assert that Claim 1 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Still further with respect to Claim 1, the first portion of the paragraph cited by the rejection indicates that "list 20" is populated with "discovered Bluetooth devices" (page 3 lines 30-33, emphasis added). Applicants respectfully assert that the taught Bluetooth discovery directly teaches away from the recited limitation of bypassing a Bluetooth discovery process, as recited by Claim 1.

For this still further reason, Applicants respectfully assert that Claim 1 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the response to arguments section, the rejection argues, "due to the mobility of the mobile device in the Bluetooth environment..., it is necessary to start the inquiry process..." (page 6, emphasis added). Herein the rejection itself argues that Phillipps teaches establishing Bluetooth communication by use of an inquiry/discovery process, in opposition to the recited limitation of bypassing a Bluetooth discovery process, as recited by Claim 1.

For this rationale, Applicants respectfully assert that Claim 1 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Claims 2-6 depend from Independent Claim 1. Applicants respectfully assert that these Claims overcome the rejections of record as they depend from and allowable base claim, and respectfully solicit allowance of these Claims.

In addition, with respect to Claim 3, Applicants respectfully assert that Phillipps fails to teach or fairly suggest the limitation, "said device identification is entered by a user of said second hand held computer system" as recited by Claim 3.

The rejection argues that Phillipps page 3 line 34 – page 4 line 1 teach this limitation. Applicants respectfully traverse. The cited sentence reads (emphasis added),

> [i]f the user knows the Bluetooth Device Addresses of the printer 11, the user can manually <u>select</u> the appropriate entry in the list 20 so that the device 1 can form a piconet with the printer 11.

Applicants understand this portion of Phillipps to teach <u>selection</u> of a Bluetooth Device Address from a list of Bluetooth Device Addresses. Applicants respectfully assert that "selection" from a list does not teach or fairly suggest

entry of a Bluetooth device identification, as recited by Claim 3, as "entry" and "selection" are fundamentally different. For example, placing a call on a mobile phone is much different if the correct number is selected from a list, e.g., from an address book, than if entered manually, e.g., by depressing 7 to 10 digit keys.

For this additional reason, Applicants respectfully assert that Claim 3 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the response to arguments section, the rejection equates the taught "selection" with the recited "entry." Applicants respectfully traverse. The rejection ignores the plain meaning of the terms, both as used in the art and as used in the cited reference and the present application.

For this further reason, Applicants respectfully assert that Claim 3 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In addition, with respect to Claim 6, Applicants respectfully assert that Phillipps fails to teach or fairly suggest the limitation,

responsive to a failure of said (establishing a Bluetooth connection between said second hand held computer system and said first handheld computer system, wherein said establishing bypasses a Bluetooth discovery process) beginning said Bluetooth discovery process

as recited by Claim 6.

Applicants respectfully assert that Phillipps in its entirety is silent as to any response to a failure to establish a Bluetooth connection, much less to teach or fairly suggest beginning said Bluetooth discovery process responsive to such a failure, as recited by Claim 6. For example, Phillipps teaches two process steps of establishing a piconet (S5 of Figure 4 and S14 of Figure 5). Phillipps does not teach that these steps comprise other process steps responsive to a failure to establish a Bluetooth connection. Moreover, Phillipps teaches that these process steps lead directly to the end of the taught processes. Consequently, Phillipps is silent as to the presently recited limitation.

For this additional reason, Applicants respectfully assert that Claim 6 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the response to arguments section, the rejection ignores the clear teaching referenced above. While the processes of Figures 4 and 5 may teach

establishing a piconet, there are no process steps identified responsive to a failure of establishing a piconet. Applicants assert that, as Phillipps fails to teach any response to such a failure, Phillipps cannot teach or fairly suggest the recited "beginning said Bluetooth discovery process" responsive to an untaught failure.

For this further reason, Applicants respectfully assert that Claim 6 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

With respect to Claim 7, Applicants respectfully assert that Phillipps fails to teach or fairly suggest the limitation, "rejecting a Bluetooth communications request" as recited by Claim 7. Applicants understand the cited Figure 4 to teach a method of establishing a communication based upon membership in a list, and further, "[i]f a match is not found in the list, an error is signaled to the user (step s6)" (page 4 lines 10-11).

Applicants respectfully assert that this cited portion of Phillipps, as well as Phillipps in its entirety, are silent as to this limitation.

For this reason, Applicants respectfully assert that Claim 7 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the response to arguments section, the rejection argues that Figure 4 teaches "displaying error message and terminating the process." While the device of Phillipps may "signal" an error to a user, such error is taught to be responsive to not finding a Bluetooth address for a device identified by a barcode (page 4 lines 10-11). In contrast, Claim 7 recites "receiving a Bluetooth communications request" comprising a device identifier, and "rejecting a Bluetooth communications request if said device identification is not a member of said list." The cited passage of Phillipps teaches a process that <u>excludes</u> radio communication, whereas the recited limitation <u>requires</u> radio communication.

For this further reason, Applicants respectfully assert that Claim 7 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Claims 8-12 depend from Independent Claim 7. Applicants respectfully assert that these Claims overcome the rejections of record as they depend from and allowable base claim, and respectfully solicit allowance of these Claims.

In addition with respect to Claim 10, Applicants respectfully assert that Phillipps fails to teach or fairly suggest the limitation "wherein said Bluetooth communications request is a page message" as recited by Claim 10.

The rejection alleges, "[i]n the Bluetooth communication protocol, the communication request inherently comprises a page message or an inquiry message." Applicants respectfully traverse. Assuming, *arguendo*, that a "communication request... comprises a page message or an inquiry message," the rejection concedes that a communication request does not inherently compriss a page message. If a communication request can be either a page message or an inquiry message, then it is not inherent that such a request is a page message. Applicants respectfully assert that a Bluetooth communications request may take forms other than a page message.

The Examiner is invited to cite additional art teaching that a Bluetooth communication request is inherently a page message, or to withdraw the rejection.

For this additional reason, Applicants respectfully assert that Claim 10 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the response to arguments section, the rejection introduces Haartsen (US 6,590,928, "Haartsen") "as evidence to show a Bluetooth communication request is either in a form of a page message or an inquiry message." While Haartsen may show that a communication request may be in a form of a page

message or an inquiry message, Applicants respectfully assert that Haartsen does not teach any inherency of such formats.

Moreover, it is appreciated that Haartsen is not even directed to Bluetooth communication. Further, Haartsen's master/slave technology is incompatible with Bluetooth, which is a peer-to-peer communication protocol. Thus, Haartsen neither teaches inherency nor Bluetooth.

For these reasons, Applicants respectfully assert that Claim 10 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Further with respect to Claim 10, Haartsen is not applied in the rejection. Applicants respectfully assert that the attempt to incorporate Haartsen into the 35 USC § 102 rejection is improper.

With respect to Claim 13, Applicants respectfully assert that Claim 13 overcomes the rejections of record for at least the rationale previously presented with respect to Claim 1, and respectfully solicit allowance of this Claim.

Claims 14-18 depend from Independent Claim 13. Applicants respectfully assert that these Claims overcome the rejections of record as they

depend from and allowable base claim, and respectfully solicit allowance of these Claims.

With respect to Claim 19, Applicants respectfully assert that Claim 19 overcomes the rejections of record for at least the rationale previously presented with respect to Claim 1, and respectfully solicit allowance of this Claim.

Claims 20-24 depend from Independent Claim 19. Applicants respectfully assert that these Claims overcome the rejections of record as they depend from and allowable base claim, and respectfully solicit allowance of these Claims.

CONCLUSION

Claims remaining in the present patent application are Claims 1-24. The Applicants respectfully request reconsideration of the above captioned patent application.

Applicants have reviewed the following reference that was cited but not relied upon and do not find this reference to teach or fairly suggest the present claimed invention: US 6,590,928.
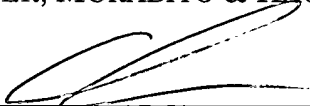
The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

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